

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**NICKOLAS E. WILEY,**

)

Petitioner

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vs.

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7:03-cv-2427-JHH-HGD**CHERYL PRICE, Warden, and
THE ATTORNEY GENERAL OF
THE STATE OF ALABAMA,**

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Respondents.

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FINAL JUDGMENT

On December 10, 2004, the magistrate judge's report and recommendation was entered and the parties were allowed therein fifteen (15) days in which to file objections to the recommendations made by the magistrate judge. No objections have been filed by the petitioner or the respondents. However, petitioner has filed a Motion to Dismiss Habeas Petition [Doc. #11].

After careful consideration of the record in this case and the magistrate judge's report and recommendation, the court hereby ADOPTS the report of the magistrate judge. The court further ACCEPTS the recommendations of the magistrate judge and it is therefore

ORDERED, ADJUDGED and DECREED that the petition for writ of habeas corpus in this action be and the same hereby is DENIED. Petitioner's Motion to Dismiss Habeas Petition is MOOT.

DONE this the 14th day of January, 2005.



SENIOR UNITED STATES DISTRICT JUDGE

